IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Vladimir Mitelberg

Donald K. Jones

Serial No.: 10/722,336

Art Unit: Unknown

Docket No. CRD0945DIV1

Filed

: November 25, 2003

Examiner: Unknown

For

: Intravascular Stent Device

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

> May 20, 2004 (Date of Deposit)

Michael W. Montgomery (Name of applicant, assignee, or Registered Representative)

May 20, 2004 (Date of Signature)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the aboveidentified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under \$1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

| In ac                                 | ccordance | with   | §1.129 | 9(a),  | this Inf  | ormati | on   |      |
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| Disclosure Stat                       | ement is  | being  | filed  | d in c | onnection | n with |      | the  |
| first or □seco                        | nd After  | Final  | Submi  | ssion  | therefo   | ore:   |      |      |
|                                       | Statement | in A   | .ccord | ance w | ith §1.9  | 7(e)   |      |      |
|                                       | (attached | d); or |        |        |           |        |      |      |
| Please charge Deposit Account No. 10- |           |        |        |        |           |        |      |      |
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|                                       | in §1.17  | (p).   |        |        |           |        |      |      |
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In accordance with §1.97(c), this Information
Disclosure Statement is being filed after the period set forth
in §1.97(b) above but before the mailing date of either a Final
Action under §1.113 or a Notice of Allowance under §1.311, or
an action that otherwise closes prosecution and that it is
accompanied by one of:

|                | Statement in Accordance with §1.97(e)   |
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|                | (attached); or  |
|                | Please charge Deposit Account No. 10-   |
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| ☐ In           | accordance with §1.97(d), this Information  |
| Disclosure St  | atement is being filed after the mailing date of  |
| either a Fina  | l Action under §1.113 or a Notice of Allowance  |
| under §1.311   | but before the payment of the Issue Fee.  |
| Applicant(s)   | hereby petition(s) for consideration of this  |
| Information D  | isclosure Statement. Included are: Statement in   |
| Accordance wi  | th §1.97(e) as set forth below and the fee of   |
| \$180.00 as se | t forth in §1.17(p).  |
|                | pies of each of the references listed on the PTO-1449 are enclosed herewith.  |
|                | oies of references listed on the attached Form PTO-   |
|                | In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith. |
|                | If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.                                     |
| ⊠ Cop          | ies of only foreign patent documents and non-   |

Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a)(2). (The U.S. patents and each U.S. patent application publication listed on the attached Form PTO-1449 are not

enclosed because this U.S. patent application was filed after June 30, 2003 or this international application has entered the national stage under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a)(2)(i). There are no listed references which are not in the English language. The relevance of those listed references which are  $\boxtimes$ not in the English language is as follows: Concerning European Patent No. EP 1 157 673 A2, see the English language abstract attached to this patent. Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D. Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/CRD0945DIV1/HWC. This form is submitted in triplicate. Respectfully submitted, Michael W. Montgome

Reg. No. 35,958

Attorney for Applicants

Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003 (786) 313-2922 DATED: May 20, 2004

O I P E 2004 W

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Substitute for form 1449A/PTO Application Number 10/722,336 INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) Sheet 1 of 10 November 25, 2003 Filing Date First Named Inventor Vladimir Mitelberg, et al. Unknown Group Art Unit Unknown Examiner Name CRD0945DIV1 Attorney Docket Number

|                      |      |                      |                        | U.S. PATENT DOCUMENTS                           |  |   |
|----------------------|------|----------------------|------------------------|---|--|---|
| Examiner<br>Initials | Cite | U.S. Patent Document |                        | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document mm-dd-yyyy | Pages, Columns, Lines,<br>where relevant passages<br>or relevant figures appear |
|                      |      | Number<br>known)     | (ind Code <sup>2</sup> |   |  |   |
|                      |      | 2003/0004567         | A1                     | Boyle, et al.                                   |  |   |
|                      |      | 4,443,498            |                        | Shinno  |  |   |
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|                      |      | 4,665,906            |                        | Jervis  |  |   |
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|                      |              |  |          | FO | REIGN PATENT DOCUMENTS                             |  |  |                |
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| Examiner<br>Initials | Cite<br>No.1 | Foreign Patent Document  Office <sup>3</sup> Number <sup>4</sup> KindCode <sup>5</sup> |          | t  | Name of Patentee or<br>Applicant of Cited Document | Date of Publication<br>of Cited Document<br>mm-dd-yyyy | Pages, Columns, Lines,<br>where relevant<br>passages or relevant<br>figures appear | T <sub>6</sub> |
|                      |              | wo   | 97/25000 |    | Chuter   |  |  |                |
|                      |              | wo   | 97/26840 |    | Gray, et al.                                       |  |  |                |
|                      |              | wo   | 98/32412 |    | Besselink  |  |  |                |

| Examiner  | Date       |
|-----------|------------|
| Signature | Considered |

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PTO/SB/08A (08-00)

<sup>1</sup> Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

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|                      |                          |   |                                   | First Named Inventor   |  | Vladimir Mitelberg, et al. |   |
|                      |                          |   |                                   | Group Art Unit         |  | Unknown                    |   |
|                      |                          |   |                                   | Examiner Na            | me   | Ur                         | nknown  |
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|                             |  | 4,776,337        |                        | Palmaz            |                                 |   |  |
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| Examiner<br>Initials | Cite<br>No.1 | Foreign<br>Office <sup>3</sup><br>KindCo | Number <sup>4</sup> | ent | Name of Patentee or<br>Applicant of Cited Document | Date of Publication of Cited Document mm-dd-yyyy | Pages, Columns, Lines,<br>where relevant<br>passages or relevant<br>figures appear | T <sup>6</sup> |
|                      |              | wo                                       | 02/054980           | A2  | Jones, et al.                                      |  |  |                |
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|                      |              | EP                                       | 0 664 104           | B1  | Cragg, et al.                                      |  |  |                |

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<sup>1</sup> Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. 10/722,336 Substitute for form 1449A/PTO Application Number INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) Sheet 3 of 10 November 25, 2003 Filing Date Vladimir Mitelberg, et al. First Named Inventor Group Art Unit Unknown Examiner Name Unknown CRD0945DIV1 Attorney Docket Number **U.S. PATENT DOCUMENTS** 

| Examiner<br>Initials | Cite | U.S. Patent Doc  | ument                         | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document mm-dd-yyyy | Pages, Columns, Lines,<br>where relevant passages<br>or relevant figures appear |
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## **FOREIGN PATENT DOCUMENTS** Pages, Columns, Lines, Date of Publication Foreign Patent Document of Cited Document where relevant Name of Patentee or passages or relevant T<sup>6</sup> mm-dd-yyyy Examiner Cite Applicant of Cited Document figures appear Initials No.1 Office<sup>3</sup> Number⁴ KindCode<sup>5</sup> 1 000 590 Α1 Letendre, et al. EP

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Kula, et al.

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<sup>1</sup> Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

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|   | Filing L                     | Date              | November 25, 2003                  |
|   | First N                      | amed Inventor     | Vladimir Mitelberg, et al.         |
|   | Group                        | Art Unit          | Unknown                            |
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|                      |                          | 5,551,954                                    |     | Buscemi, et al.                                    |  |   |
|                      |                          |  | FO  | REIGN PATENT DOCUMENTS                             |  |   |

## Pages, Columns, Lines, Date of Publication Foreign Patent Document where relevant of Cited Document Name of Patentee or T<sup>6</sup> passages or relevant Examiner Cite mm-dd-yyyy Applicant of Cited Document figures appear Initials No.1 Office<sup>3</sup> Number⁴ KindCode5 1 157 673 A2 Fenesi

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Jones, et al.

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<sup>1</sup> Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

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|                      |                          | 5,563,146  |                              | Morris, et al.                         |                         |  |  |                |
|                      |                          | 5,565,036  |                              | Westendorp, et al.                     |                         |  |  |                |
|                      |                          | 5,569,245  |                              | Guglielmi, et al.                      |                         |  |  |                |
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|                      |                          | 5,578,071  |                              | Parodi                                 |                         |  |  |                |
|                      |                          | 5,578,072  |                              | Barone, et al.                         |                         |  |  |                |
|                      |                          | 5,591,195  |                              | Taheri, et al.                         |                         |  |  |                |
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|                       |               |  |                             |   | Group Art<br>Examiner |  |                          |   | known<br>known            |        |
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| Examiner<br>Initials  | Examiner Cite |  |                             | Name of Patentee or Applicant of Cited Document |                       | Date of Publication of Cited Document mm-dd-yyyy Pages, Columns, L where relevant pass or relevant figures a |                          | ages  |                           |        |
|                       |               | Ki<br>Number<br>known)                               | nd Code <sup>2</sup><br>(if |   |                       |  |                          |   |                           |        |
|                       |               | 5,607,466  |                             | Imbert, et al.                                  |                       |  |                          |   |                           |        |
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|                       |               | Office <sup>3</sup> Number⁴<br>KindCode <sup>5</sup> |                             |   |                       |  |                          |   |                           |        |
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|                             |  |                        |                                   | Filing Date     |  | November 25, 2003            |                |
|                             |  |                        |                                   | First Name      | d Inventor   | Vladimir Mitelberg,          | et al.         |
|                             |  |                        |                                   | Group Art l     | Jnit   | Unknown                      |                |
|                             |  |                        |                                   | Examiner I      |  | Unknown                      |                |
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|                      |  |  |                              |  | First Named | Inventor   | Vladimir Mitelberg, et al.  |  |
|                      |  |  |                              |  | Group Art U | nit  | Unknown   |  |
|                      |  |  |                              |  | Examiner Na |  | Unknown   |  |
|                      |  |  |                              |  | Attorney Do | cket Number                                      | CRD0945DIV1   |  |
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|                       |              |  |                             |   |                                     | ed Inventor  | Vladimir Mitelberg, et            | al. |
|                       |              |  |                             |   | Group Art                           | Unit   | Unknown                           |     |
| <del>.</del>          |              |  | ···                         |   | Examiner                            | Name   | Unknown                           |     |
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|                       |              | Office <sup>3</sup> Number⁴<br>KindCode <sup>5</sup> |                             |   |                                     |  |                                   |     |
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|                       |                          |  |  | <del>-</del> -                    |  | ed Inventor  | Vladimir Mitelberg, et al.        |
|                       |                          |  |  |                                   | Group Art  | Unit   | Unknown                           |
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